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February 10, 2015

Hon. Naomi Reice Buchwald
United States District Judge
U. S. District Court, Southern District of New York
500 Pearl Street
New York, NY 10007-1312

VIA ECF

Re: JP Morgan Chase, N.A. Interpleader Complaint
13 CV 3302 (NRB)

Dear Judge Buchwald:

I represent Kenneth Garrett as executor of the estate of Rose Roseman, and Andrea Zauflick, two of the claimants in the referenced interpleader litigation. I write this letter to request that Your Honor stay that portion of your Memorandum and Order entered today directing JP Morgan to disburse 40% of the IRA forming the subject matter of the referenced litigation to Mrs. Rona Maurer. We ask for this stay so that we may have the opportunity to file a memorandum of law addressed to which claimants are entitled to the shares of the interpleader defendants that have not filed a claim with this court.

It is our understanding that those shares belong to the remaining designated beneficiaries and that there is no basis in law for distributing the unclaimed shares of the IRA to Rona Maurer.

Although the two “defaulting” claimants may support Rona’s claim to the funds, absent their asserting their claim and being awarded their aliquot share, they have no say as to who is entitled to the funds they have chosen not to claim.

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By this letter we request that no funds be disbursed at this time, and that the court set forth a briefing schedule so that counsel may address this issue.

Very truly yours,
Stephen Norman Weiss
Stephen Norman Weiss (SW-3662)

cc: all counsel via SDNY ECF